

At A Regular Town Board Meeting
Of the Town Board of the Town of Newburgh held
At 1496 Route 300 in said township at 7:00 P.M.
On the 20th day of January, 2004

Roll Call: Wayne C. Booth, Supervisor
George A. Woolsey, Councilman
Derek N. Benedict, Councilman
James E. Manley, Councilman
Gilbert J. Piaquadio, Councilman

Also Present: Mark C. Taylor, Attorney for the Town of Newburgh
James W. Osborne, Town Engineer
Andrew J. Zarutskie, Town Clerk
Charlene M. Black, Deputy Town Clerk

1. Pledge of Allegiance to the Flag led by Alonzo Stevens, Frozen Ridge Road

2. Moment of Silence

3. Additional Items for the Agenda

None.

4. Public Comments on Agenda Items

None.

5. Resolution: Support of the Orange County Legislature for Sales Tax Increase

This resolution is in support of the County of Orange's Home Rule request for an increase in the existing county sales tax. The increase would be $\frac{3}{4}\%$ and if passed at the state level would generate much needed revenue for the Town of Newburgh. This resolution if passed will be forwarded to our state representatives, our assemblymen, and our senator to show our support of the County Legislature and County Executive for this increase. Councilman Benedict wanted to publicly note that it was nice to have our County Legislators here except for one. It was nice to get the facts and the answers to questions that we had. Councilman Manley explained that if the State approves this it will bring in additional revenue to the Town. Next year, if the budget is approved by July, the Town will receive 20% of the new revenue generated by the tax increase. This will definitely offset our budget. This is an estimate of \$250,000.00. Councilman Piaquadio explained how the Board made an effort to try and get a better deal but it did not get too far.

MOTION was made by Councilman Woolsey to adopt the Resolution Supporting the County of Orange's Home Rule Request Seeking An Increase in the Existing County Sales Tax, seconded by Councilman Benedict.

VOTE: Mr. Woolsey – aye; Mr. Benedict – aye; Mr. Manley – aye; Mr. Piaquadio – aye; Mr. Booth – aye. Motion passed 5-0.

6. Accounting – Budget Transfers

a. Supervisor's Office

This is a request from Supervisor Booth to transfer from Account 1220-0100 Payroll in the amount of \$730.80 to Account 1220-0469 Education / Conference. This was for the law books that came in. Also from Account 1220-0100 Payroll in the amount of \$5.17 to Account 1220-0497 Maintenance Contracts / Leases.

MOTION was made by Councilman Woolsey to approve the above transfers as presented, seconded by Councilman Piaquadio.

VOTE: Mr. Woolsey – aye; Mr. Benedict – aye; Mr. Manley – aye; Mr. Piaquadio – aye; Mr. Booth – aye. Motion passed 5-0.

b. Town Clerk's Office

This is a request from Andrew Zarutskie, Town Clerk, to transfer the funds as outlined in his memo. (See attached memo).

Councilman Manley wanted to know about the "other account", what is that normally

used for? Mr. Zarutskie said it was for printing because the Board adopted a lot of Local Laws and the General Code had to be revised. Councilman Manley said there is a printing line but Mr. Zarutskie explained we went way over what was budgeted due to the above mentioned items, the maps we sell in the office, and the display ads. For whatever reason General Code does not come under printing, it comes under "other".

MOTION was made by Councilman Manley to approve the transfers as presented, seconded by Councilman Benedict.

VOTE: Mr. Woolsey – aye; Mr. Benedict – aye; Mr. Manley – aye; Mr. Piaquadio – aye; Mr. Booth – aye. Motion passed 5-0.

c. Fleet Maintenance

This is a request from Jim LaColla, Head Mechanic at Fleet Maintenance, to transfer the funds outlined in his memo. (See attached memo.)

MOTION was made by Councilman Benedict to approve the transfer of funds as presented, seconded by Councilman Piaquadio.

VOTE: Mr. Woolsey – aye; Mr. Benedict – aye; Mr. Manley – aye; Mr. Piaquadio – aye; Mr. Booth – aye. Motion passed 5-0.

d. Water Supply

This is a request from James Corbett, Water Supply Superintendent, to transfer funds as outlined in his memo. (See attached memo.) Supervisor Booth asked about the large amount for transfers to Personnel Services, Operating Supplies and Non-vehicle Repairs. Jim Corbett explained that the Non-vehicle repairs was to the pumps at the Delaware Aqueduct that were flooded out last year that were repaired. Councilman Manley asked if a camera system would help prevent this to happen in the future and Jim said certainly, any measures would help. Councilman Woolsey asked if this bill was given to the Insurance Company and Jim said he was told the insurance would not cover it. Councilman Manley wanted to know what NYCH2O was. Jim said it stood for New York City Water. There was a surplus in that account for 2003.

Personnel Services account was over time due to the fact that the Aqueduct was shut down and we had to switch over to Chadwick Lake, there were problems that were not expected, such as telemetry. Councilman Manley asked if a third shift could help eliminate any overtime? Jim said it is something he has been thinking of if this ever happened again. It would take about three days to coordinate but he would like to give his staff at least two weeks notice to make any needed arrangements.

MOTION was made by Councilman Manley to approve the transfer of funds as presented, seconded by Councilman Benedict.

VOTE: Mr. Woolsey – aye; Mr. Benedict – aye; Mr. Manley – aye; Mr. Piaquadio – aye; Mr. Booth – aye. Motion passed 5-0.

7. Engineering: Reduction of Performance Security for Anchorage on Hudson

This is a request from Jim Osborne, Town Engineer, to reduce the Performance Security for Anchorage on Hudson by \$553,837.00, which will leave \$1,243,363.00 in security. The original amount was \$1,678,200.00. Councilman Woolsey asked Jim if he has had any trouble with this company and Jim said they've actually been very good. They have been having trouble on site due to all the rain. They are actually behind schedule.

MOTION was made by Councilman Piaquadio to reduce the Performance Security for Anchorage on Hudson by \$553,837.00, seconded by Councilman Benedict.

VOTE: Mr. Woolsey – aye; Mr. Benedict – aye; Mr. Manley – aye; Mr. Piaquadio – aye; Mr. Booth – aye. Motion passed 5-0.

8. Recreation

a. Advisory Board Reappointments

This is a request from Gary MacEntee, Recreation Director, to reappoint the following three people with a term expiration of 1/2007:

Edward Babcock

Anthony Sculley

Peggy Mone

MOTION was made by Councilman Woolsey to reappoint Edward Babcock to the Recreation Advisory Board to a term to expire in January, 2007, seconded by Councilman Manley.

VOTE: Mr. Woolsey – aye; Mr. Benedict – aye; Mr. Manley – aye; Mr. Piaquadio – aye; Mr. Booth – aye. Motion passed 5-0.

MOTION was made by Councilman Benedict to reappoint Anthony Sculley to the Recreation Advisory Board to a term to expire in January, 2007, seconded by Councilman Piaquadio.

VOTE: Mr. Woolsey – aye; Mr. Benedict – aye; Mr. Manley – aye; Mr. Piaquadio – aye; Mr. Booth – aye. Motion passed 5-0.

MOTION was made by Councilman Benedict to reappoint Peggy Mone to the Recreation Advisory Board to a term to expire in January, 2007, seconded by Councilman Piaquadio.

VOTE: Mr. Woolsey – aye; Mr. Benedict – aye; Mr. Manley – aye; Mr. Piaquadio – aye; Mr. Booth – aye. Motion passed 5-0.

b. T Shirt Bid Award

On Tuesday, January 13, 2004, Mr. Zarutskie, Town Clerk and Gary MacEntee, Recreation Director, conducted a sealed bid for the 2004 T Shirts. Three bids were submitted as you can see by the attached bid sheet. Alpine Sportswear and Promotions of Kingston, NY was the low bidder. After inspection of the samples submitted, Gary MacEntee, is requesting that Alpine Sportswear and Promotions to be granted the contract for 2004.

MOTION was made by Councilman Benedict to award the contract for the 2004 T Shirt bid to Alpine Sportswear and Promotions of Kingston, NY, seconded by Councilman Manley.

VOTE: Mr. Woolsey – aye; Mr. Benedict – aye; Mr. Manley – aye; Mr. Piaquadio – aye; Mr. Booth – aye. Motion passed 5-0.

c. Schedule for Advertising and Bid Opening Dates for Bus Trips

This is a request from Gary MacEntee, Recreation Director, to go to bid for the attached bus trips. Supervisor Booth asked Mr. Zarutskie, Town Clerk, if he could coordinate with Mr. MacEntee on when he would like to have the advertising done and the when he'd like to have the bid opening. Councilman Woolsey asked if a standard form has been made for multi bids as this one. Mr. Zarutskie said not yet but he will discuss this with Mr. MacEntee to see how he would like to do this. It would be very easy to get a form together.

MOTION was made by Councilman Piaquadio to schedule the advertising and bid opening for the list of bus trips, seconded by Councilman Woolsey.

VOTE: Mr. Woolsey – aye; Mr. Benedict – aye; Mr. Manley – aye; Mr. Piaquadio – aye; Mr. Booth – aye. Motion passed 5-0.

9. Sewer

a. Computer Upgrade

This is a request from Mark Spikes, WWTP Operator, to upgrade the current computer system they have. It is slow and inefficient. The system they have is a glorified word processor at most. The cost of a replacement machine will not exceed \$2,000.00 and Tom Masten could get a Dell from State Contract. The cost will come out of the Sewer Budget.

MOTION was made by Councilman Manley to approve the purchase of a new computer at a cost not to exceed \$2000.00 from State Contract to come out of the Sewer Budget, seconded by Councilman Piaquadio.

VOTE: Mr. Woolsey – aye; Mr. Benedict – aye; Mr. Manley – aye; Mr. Piaquadio – aye; Mr. Booth – aye. Motion passed 5-0.

b. Truck Purchase

This is a request from Jim Osborne, Town Engineer, to purchase a truck from Geneses Truck Sales under NYS/OGS Contract No. PC58722. This Ford F-350 4X4

Pick Up would replace the current Dodge Ram used to haul the Jet Trailer. The quoted price for this truck is \$31,481.75 and we have budgeted \$31,500.00 in 2004. MOTION was made by Councilman Woolsey to approve the purchase of a Ford F-350 4X4 Pick Up at a cost not to exceed \$31,500.00, seconded by Councilman Benedict.

VOTE: Mr. Woolsey – aye; Mr. Benedict – aye; Mr. Manley – aye; Mr. Piaquadio – aye; Mr. Booth – aye. Motion passed 5-0.

10. Water Supply: Repairs to High Lift Motor Controlled at Chadwick Lake Filter Plant

This is a request from Jim Corbett, Water Supply Superintendent, to move forward with the repairing of the variable frequency controller #3 high lift pump that has failed. Removal, repair by the manufacturer, shipping and reinstallation will cost approximately \$2,800.00. A one year warrantee, same as new, will be in effect. To replace the unit with new would cost \$4,000.00.

MOTION was made by Councilman Benedict to approve the repair of the High Lift Motor at a cost not to exceed \$2,800.00, seconded by Councilman Manley.

VOTE: Mr. Woolsey – aye; Mr. Benedict – aye; Mr. Manley – aye; Mr. Piaquadio – aye; Mr. Booth – aye. Motion passed 5-0.

11. Announcements and Presentations:

a. Receiver of Taxes & Town Clerk's Office Both Open Saturday, January 31, 2004

Mr. Zarutskie, Town Clerk, was asked by Betty Greene, Receiver of Taxes, to announce that her office will be open on Saturday, January 31, 2004 from 9:00 a.m. until 12:00 noon. For many years Mrs. Greene has opened her office the Saturday prior to the deadline for paying your taxes without penalty. Mr. Zarutskie figured it would save lighting and heating costs by opening his office on the same day as Mrs. Greene. The Town Clerk's office will also be open on Saturday, January 31, 2004 from 9:00 a.m. until 12:00 noon.

b. Other

Councilman Benedict wanted to ask about departments putting needed documents onto our web site. Such departments are Code Compliance – building permits and the Assessor's Office – Star Program. Maybe Supervisor Booth or Mr. Zarutskie can ask these departments, or all the departments, if the most used documents could be put on the web so the public has easy access to them. Supervisor Booth suggested that at the next Department head meeting, he will ask each department to forward any documents that could be used on the web to our webmaster.

12. Public Comments

Helena Guinta / Westwood Drive

She wanted to thank the Town for taking care of the water main break that was in front of her house. The response was very quick and they spent the majority of the day in a hole, in the water and in the cold.

She wanted to know if the agenda could be put on the Town's web site. Mr. Zarutskie, Town Clerk, said it hasn't been done but there should not be a problem if the Town Board agrees to it. Supervisor Booth said we need to coordinate with the Recreation Department and the webmaster.

When are the NO PARKING / NO STANDING signs going to put up on 17K? Supervisor Booth said he has not heard anything but he will follow up. The reason she is asking is because after the last Board meeting, she was on her way home and there were two trucks parked on 17K. She picked up her cell phone and called the Police Department. They patched her through to a patrolman. He asked all kinds of questions, were the trucks abandoned? The officer was not being helpful. She asked how long can the trucks be parked there and he answered, "If they are not abandoned, indefinitely." Supervisor Booth said that is the definition between stopping and

standing. The point is no one came out to look.

The trucks are running more than five minutes in Pilot's parking lot. Supervisor Booth said the Town has an hour by hour, twenty four-seven patrol. Mrs. Guinta wanted to know if tickets have been issued? Supervisor Booth was not sure. He has personally been with the patrol when they went in there and as soon as they see us they either leave or turn off their trucks. Mrs. Guinta invited Supervisor Booth to ride with her because they don't leave or turn off their trucks. Tonight at 4:30 there was a tractor no trailer idling in the parking lot. Coming to the meeting tonight, Mrs. Guinta said she passed the parking lot again; every truck in the parking lot was idling. Councilman Manley believes that there is an exemption for when the temperature goes below a certain degree. Mrs. Guinta thinks its 23 degrees. She thinks it was 27 degrees and one truck in particular was still running, this was two hours later.

Councilman Piaquadio

The stop sign at 17K and Lakeside Road is still up. With the traffic light people will get confused. Supervisor Booth said that will another thing to talk to the DOT about.

David Rein / Holt Lane

Wanted to thank Mr. Zarutskie for attending the press conference he had in reference to the ski trip that he is coordinating with the Town. The Town is very supportive.

If ever you are in need of a webmaster, due to the illness of your webmaster or vacation or whatever, please contact us and we would be glad to help out.

Ellenjane Gonyea / 26 Linden Drive

Several neighbors on upper Windwood Drive who have cause to worry about truck loads of fill being dumped at the sewer site. We wondered what this was about. Someone went over to check it out and found out it was old fill and sweepings. Where did it come from and why so many loads? Supervisor Booth said some of the fill was from Westwood Drive where we are extending the drainage from 28-30. As for the sweepings he said he needs to talk to Darrell Benedict, Highway Superintendent, about this.

What is the status on filling the vacancy in the Planning Board? We have received many applications and we will schedule interviews of all the applicants. We will do this at a Special Meeting and it will be advertised. The Public will be invited but will not be able to interview the candidates.

What is the status of the testing of the wood at Chadwick Lake Park? Supervisor Booth said there has been a test done for the contaminants, it has come back and the results are quite high. He said he needs to get a qualified opinion to review these results and how they apply to surface and run off. Supervisor Booth said he doesn't have the EPA standards so he would like to get an expert to explain these results to the Board.

What is the status of the Sunrise Enterprise – WGNV tower? Can the Town approach the FAA to re-evaluate their decision. Councilman Piaquadio said he has been in contact with the Air National Guard at Stewart Field and the new manager at Stewart Field and we going to raise some concerns about the tower. He was told, due to the glide slope, we'd be better off going to helicopter operators, which would include the State Police and a couple of other agencies.

What is the status of the revised traffic study that would determine if the traffic light at the intersection of Arbor Drive and Colden Hill Road would be installed? The revised study with the numbers did not change but the warrant is still there for a light. Can the Town do anything to push for the placement of the light? Supervisor Booth said yes, that he has spoken to Senator Larkin about obtaining funds for it and Jim Osborne, Town Engineer, said our next step is to meet with Mr. Harwood with the DOT.

Councilman Piaquadio also wanted to add that the light at the Coldenham Scholl doesn't cycle when there is no school. If they cycle the light, it would slow down the traffic on 17K. Councilman Piaquadio asked Mrs. Guinta and Mrs. Gonyea if when the light is cycled does it help? No because it is the exit from the development at the times the light is working that is difficult. The light needs to be regulated for their ability to come in and out of the development.

Helena Guinta / Westwood Drive

The problem is when you are trying to make a left, you have traffic coming out of Colden Hill. Even when the light is red at Cumberland Farms, you have the traffic coming off of Rock Cut Road.

Larry Cosman / Merritt Lane

What is the Town's website? Councilman Benedict said it is:
www.townofnewburgh-ny.gov

Ron Hughes / Pampas Lane

There is a seminar of the Orange County Citizens Foundation at BOCES in Goshen on January 29, 2004. Someone from the Town should attend.

Adjournment

MOTION was made by Councilman Benedict to adjourn the Town Board meeting of January 20, 2004 at 8:15 P.M., seconded by Councilman Piaquadio.

VOTE: Mr. Woolsey – aye; Mr. Benedict – aye; Mr. Manley –aye; Mr. Piaquadio – aye; Mr. Booth – aye. Motion passed 5-0.

Andrew J. Zarutskie, Town Clerk

by

Charlene M. Black, Deputy Town Clerk